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MINISTRY OF LAW

*New Delhi, the 3rd August 1951.*

THE PUNJAB REQUISITIONING OF IMMOVABLE  
PROPERTY (AMENDMENT AND VALIDATION)  
ORDINANCE, 1951.

No. IV OF 1951

An Ordinance further to amend the East Punjab Requisitioning of Immovable Property (Temporary Powers) Act, 1948, and to provide for the validation of certain requisitions and acquisitions.

WHEREAS the President has assumed to himself all the powers of the Governor of the State of Punjab in pursuance of his Proclamation issued on the 20th day of June, 1951;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to promulgate the following Ordinance:—

**1. Short title, extent and commencement.**—(1) This Ordinance may be called the Punjab Requisitioning of Immovable Property (Amendment and Validation) Ordinance, 1951.

(2) It extends to the whole of the State of Punjab.

(3) It shall come into force at once.

**2. Definitions.**—In this Ordinance,—

(a) “Repealed Act” means the Punjab Requisitioning of Immovable Property (Temporary Powers) Act, 1947 (Punjab Act XVII of 1947); and

(b) "Requisitioning Act" means the East Punjab Requisitioning of Immovable Property (Temporary Powers) Act, 1948 (East Punjab Act XLVIII of 1948).

**3. Amendment of sections 2 and 3, East Punjab Act XLVIII of 1948.**—In the Requisitioning Act,—

(a) in sub-section (1) of section 2, after the words "requisition any immovable property" the words "for a public purpose" shall be, and shall be deemed always to have been, inserted; and

(b) in sub-section (1) of section 3, after the words "acquire such property" the words "for a public purpose" shall be, and shall be deemed always to have been, inserted.

**4. Validation of requisitions and acquisitions made before commencement of Ordinance.**—Every requisition or acquisition of immovable property purporting to have been made before the commencement of this Ordinance under sub-section (1) of section 2 or sub-section (1) of section 3 of the Requisitioning Act or the Repealed Act shall, unless the contrary is proved, be presumed to have been made for a public purpose, and notwithstanding any judgment, decree or order of any court, every such requisition or acquisition shall be deemed to have been duly made under the Requisitioning Act as if on the day on which the requisition or acquisition was made the Requisitioning Act as amended by this Ordinance were in force in the State.

**5. Restoration of proceedings.**—Where, in any proceeding concluded before the commencement of this Ordinance, any requisition or acquisition under the Repealed Act or the Requisitioning Act has been found to be invalid on the ground that the Act under which the requisition or acquisition was made did not contain a specific provision that the requisition or acquisition should be for a public purpose, such finding shall be void and of no effect; and the court shall, notwithstanding anything to the contrary contained in the Indian Limitation Act, 1908 (IX of 1908), or in any other law for the time being in force, on application made within three months from the commencement of this Ordinance by any party prejudicially affected by such finding, restore the proceeding at, and continue it from, the stage reached immediately before the order embodying or based on such finding was made.

**RAJENDRA PRASAD,**  
*President.*

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## THE EAST PUNJAB PUBLIC SAFETY (AMENDMENT) ORDINANCE, 1951.

No. V OF 1951

An Ordinance to amend the East Punjab Public Safety Act, 1949.

WHEREAS the President has assumed to himself all the powers of the Governor of the State of Punjab in pursuance of his Proclamation issued on the 20th day of June, 1951;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to promulgate the following Ordinance:—

**1. Short title.**—This Ordinance may be called the East Punjab Public Safety (Amendment) Ordinance, 1951.

**2. Amendment of section 1, East Punjab Act V of 1949.**—In subsection (3) of section 1 of the East Punjab Public Safety Act, 1949, for the word “August” the word “September” shall be substituted.

RAJENDRA PRASAD,  
*President.*

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K. V. K. SUNDARAM,  
*Secy. to the Govt. of India.*

